

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

MARC VEASEY, *et al*,

Plaintiffs,

VS.

RICK PERRY, *et al*,

Defendants.

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CIVIL ACTION NO. 2:13-CV-00193

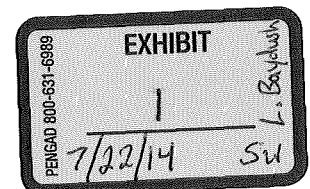
**DEFENDANTS' SECOND AMENDED NOTICE OF INTENTION TO TAKE
ORAL DEPOSITION OF THE UNITED STATES DEPARTMENT OF STATE**

To: **The United States of America**, by and through its attorneys of record Anna Baldwin, Robert Berman, Richard Dellheim, Elizabeth S. Westfall, Avner Shapiro, Daniel Freeman, Jennifer Maranzano, John A. Smith, Meredith Bell-Platts, and Bruce Gear, Voting Section, Civil Rights Division, United States Department of Justice, Room 7254 NWB, 950 Pennsylvania Avenue, N.W., Washington, D.C. 20530.

Please take notice that on July 22, 2014, beginning at 9:00 A.M. EDT, at 1800 G Street, NW, 7th Floor Conference Room, Washington, DC, Defendants the State of Texas, Rick Perry, the Texas Secretary of State¹ and Steve McCraw, by and through the Attorney General for the State of Texas, will take the oral deposition of the United States Department of State, pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure.

This deposition will be recorded by stenographic means, conducted before an individual authorized to administer oaths, and used for any purpose permitted under the Federal Rules of Civil Procedure or court order. The deposition may be

¹ Various complaints identify the Texas Secretary of State as John Steen. The current Secretary of State, however, is Nandita Berry.



videotaped. The deposition will continue from time to time and place to place until concluded.

The United States Department of State is directed to designate a person or persons to testify on its behalf on the matters identified in Exhibit A.

EXHIBIT A

DEFINITIONS

The following terms have the following meanings, unless the context requires otherwise:

1. Person. The term “person” means any natural person, a business, a legal or governmental entity, or an association.
2. Department of State. The term “Department of State” means the United States Department of State and its agents, representatives, attorneys, experts, employees, officers, directors, or any other person acting or purporting to act on its behalf.
3. And & or. The connectives “and” and “or” should be construed either conjunctively or disjunctively as necessary to bring within the scope of the discovery request all responses that might otherwise be construed to be outside its scope.
4. Present. The term “Present” means May 14, 2014, or the date on which the oral deposition of the United States of America is taken in the above-captioned litigation.
5. Relating. The term “Relating” means concerning, referring, describing, evidencing, supporting, refuting, or constituting, either directly or indirectly.
6. Requirement. The term “Requirement” means any regulation, statute, guideline, common law, or other legal authority.
7. Electronically Stored Information. The term “electronically stored information” means electronic information that is stored in a medium from which it can be retrieved and examined. It includes, but is not limited to, all electronic files that can be retrieved from electronic storage.
 - a. “Electronic file” includes, but is not limited to, the following: electronic documents; e-mail messages and files; deleted files; temporary files; and metadata.
 - b. “Electronic information system” refers to a computer system or network that contains electronic files and electronic storage.
 - c. “Electronic storage” refers to electronic files contained on magnetic, optical, or other storage media, such as hard drives, flash drives, DVDs, CDs, tapes,

cartridges, floppy diskettes, smart cards, integrated-circuit cards (e.g., SIM cards).

8. Texas Law. The term “Texas law” includes, but is not limited to:
 - a. Texas Election Code § 63.0101;
 - b. Texas Administrative Code §§ 15.181–.185; and
 - c. Senate Bill 14, 82nd Leg., R.S., ch. 123, § 3, 2011 Tex. Gen. Laws 619.
9. SB 14. The term “SB 14” means Senate Bill 14, 82nd Leg., R.S., ch. 123, § 3, 2011 Tex. Gen. Laws 619.
10. Defendants. The term “Defendants” means the defendants named in the above styled and captioned lawsuit.

MATTERS

1. Any and all databases in the possession, custody, or control of the Department of State used to conduct a match with any database produced by the Defendants in this lawsuit.
2. With regard to a database described in Matter #1, above, any fields containing the same types of identifying information found in the Texas Election Administration Management System (TEAM) database that was produced by the Defendants in this lawsuit.
3. With regard to a database described in Matter #1, above, the frequency and process by which such a database is maintained and updated.
4. With regard to a database described in Matter #1, above, the process by which the Department of State used such a database to conduct a match with the Texas Election Administration Management System (TEAM) database. This topic includes any algorithm used to conduct such a match.
5. Documents, electronically stored information, codes, manuals, or software necessary to facilitate the use of a database described in Matter #1, above.
6. The requirements, standards, and protocols for obtaining a valid form of ID under SB 14 issued by the Department of State.

Dated: July 15, 2014

Respectfully submitted,

GREG ABBOTT
Attorney General of Texas

DANIEL T. HODGE
First Assistant Attorney General

JONATHAN F. MITCHELL
Solicitor General

J. REED CLAY, JR.
Special Assistant and Senior Counsel
to the Attorney General
Southern District of Texas No. 1160600

/s/ John B. Scott
JOHN B. SCOTT
Deputy Attorney General for Civil Litigation
Southern District of Texas No. 10418
Texas State Bar No. 17901500
ATTORNEY-IN-CHARGE

G. DAVID WHITLEY
Assistant Deputy Attorney General
Southern District of Texas No. 2080496

STEPHEN RONALD KEISTER
Assistant Attorney General
Southern District of Texas No. 18580

JENNIFER MARIE ROSCETTI
Assistant Attorney General
Southern District of Texas No. 224780

LINDSEY ELIZABETH WOLF
Assistant Attorney General
Southern District of Texas No. 2292940

FRANCES WHITNEY DEASON
Assistant Attorney General
Southern District of Texas No. 2302872

209 West 14th Street
P.O. Box 12548
Austin, Texas 70711-2548
(512) 475-0131

BEN A. DONNELL
Donnell, Abernethy & Kieschnick
555 N. Carancahua, Suite 1770
Corpus Christi, Texas 78401-0853
Southern District of Texas No. 5689

COUNSEL FOR THE STATE OF TEXAS,
RICK PERRY, JOHN STEEN, and STEVE
MCCRAW

CERTIFICATE OF SERVICE

I hereby certify that on July 15, 2014, a true and correct copy of the foregoing document is being served via electronic mail to all counsel of record.

/s/ John B. Scott
JOHN B. SCOTT